### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

JAMES ROBERT WEST, JR.	)
Plaintiff(s),	)
v.	) ) ) 2:08-CV-82-MEF
CAPTAIN SCONYERS, ET AL.	)
Defendant(s).	)
	)

### **SUPPLEMENTAL SPECIAL REPORT**

COME NOW the Defendants, Kenneth Sconyers, Shawn Logan, Gerald Wright, Matthew Campbell, Joel Tew, Larry Peavey and Dexter Baldwin, by and through the undersigned counsel, and respectfully respond to the Court's April 24, 2008, Order, (Doc. 29) to file on or before May 9, 2008, a supplemental special report which contains copies of Plaintiff's medical records, not heretofore produced, generated between January 18, 2008 and through and including January 27, 2008.

### **EXHIBIT**

SUPPLEMENTAL EXHIBIT 1 –Medical Records for the time period indicated in the Court's Order.

### **CONCLUSION**

There are still no genuine issues of material fact even in light of the requested medical records, and the Defendants are entitled to judgment as a matter of law. WHEREFORE, the Defendants respectfully request that this Honorable Court dismiss the claims against them.

Respectfully submitted,

TROY KING Attorney General

/s/Benjamin H. Albritton

Benjamin H. Albritton (ASB-0993-R67B) Assistant Attorney General

### ADDRESS OF COUNSEL:

Office of the Attorney General 11 South Union Street Montgomery, AL 36130 (334) 242-7555 (334) 242-2433 – fax

### **CERTIFICATE OF SERVICE**

I hereby certify that I have, this the 7<sup>th</sup> day of May, 2008, served a copy of the foregoing upon the Plaintiff by placing same in the United States Mail, postage prepaid and properly addressed as follows:

James West, 110315 Limestone Correctional Facility 28779 Nick Davis Rd Harvest, AL 35749

/s/Benjamin H. Albritton

Benjamin H. Albritton Assistant Attorney General

## STATE OF ALABAMA inestone county

I, bebore Masterson, hereby certify and affirm that I am a medical Reports Clerkat Limestone Corr. Facility that I am one of the custodians of medical records at this institution; that the attached documents are true, exact, and correct photocopies of certain medical records maintained here in the institution medical file of one Tames West , AIS# 10315; and that I am over the age of twenty-one years and am competent to testify to the aforesaid documents and matters stated therein.

I further certify and affirm that said documents are maintained in the usual and ordinary course of business at Limestone Corr. Facility and that said documents (and the entries therein) were made at, or reasonably near, the time that by, or from information transmitted by, a person with knowledge of such acts, events, and transactions referred to therein are said to have occurred.

This, I do hereby certify and affirm to on this the 2nd day of \_\_\_\_\_, 200**3**.

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE

My Commission Expires

CMS EASTERLING 200 WALLACE DRIVE CLIO, AL 36017 (334) 397-4471 (A0314-8)

DOB: 11/03/1945

-FINAL- Original Report 01/22/2008

WEST, JAMES

110315

DARBOUZE

106910643 01/21/2008 07:45 01/22/2008 09:49 1/22/2008 12:52 62 Y M

Test Description	Result	Abnormal	Reference :	Range
	* CHEMIS	STRY *		
	OIII.	3181		
Glucose	98		70-99	mg/đL
Sodium	141		133-145	mmol/L
Potassium	4.2		3.3-5.3	mmol/L
Chloride	105		96-108	mmol/L
CO2	26		21-29	mmol/L
BUN	11		7-25	mg/dl
* Creatinine	1.2		0.6-1.3	mg/đl
BUN/Creat Ratio		9.2 LO	10-28	
Calcium	9.4		8.4-10.4	mg/dl

GFR (Glomerular Filtration Rate) calculation utilizes the MDRD formula (Modification of Diet in Renal Disease Study Group) and assumes a normal adult body surface area of 1.73. If the patient is African American multiply result reported by 1.21. (Ref. National Kidney Disease Educa. Program.)

\*\*\*\*\* Male/Female reference range: >60 mL/min/1.73 m2 \*\*\*\*\* Note: A calculated GFR of <60 mL suggests chronic kidney disease, but only if found consistently over at least 3 months. A calculated result of <15 mL is consistent with renal failure.

	* HEMATOL	OGY *	
WBC	7.9	3.40-11.80	x10(3)
RBC	5,0	4,20-5,90	<b>x</b> 10(6)
HGB	14.4	12.3-17.0	gm/dl
HCT	46.2	39.3-52.5	· *
MCV	92.4	80,0-100.0	FL
MCH	28.8	25.0-34.1	pg
MCHC	31.2	29.0-34.0	gm/dl
RDW	13,8	10,9-16,9	ર્ક્ર
POLYS	56	36-78	<b>%</b>
LYMPHS	31	12-48	<b>%</b>
EOS	4	0-8	ą.
BASOS	1	0-2	<b>%</b>
MONOS	8	0-13	<b>%</b>
Platelet Cou	int 356	144-400	x10(3)

Final Report

Page: 1

<sup>\*</sup> GFR, Estimated = 65.15 mL/min/1.73m2

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# Case 2:08-cv-00082 MEF-WO MENTING MENT

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PATIENT'S NAME (LAST, FIRST, MIDDLE)		AGE DATE OF		s   AIS#

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O- DOC Body Chart

P-Tareas cleansed & NS. Band-aid applied to (B) elbow area. Lee applied to (D) & back. De Dailouse consulted-orders received.

1/3/45 Patient Institution: 1D#: 110J15 Name: WEST, JAMES Signature Date Time Notes 1-16-08 9:00 A.M. 101 · 1xas 7113 Rev 03/04

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CMS 7116 Rev 1/2003

# Case 2:08-cv-00082-MEF-WC Document 31-2 Filed 05/07/2008 Page 10 of 25 Correctional Medical Services Physician's Orders

1/3075	Start Date & Time 1-19.08	
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Jan 21 2008 07:06pm P001/009



American Mobile Imaging Unit 3 5766 Carmichael Parkway Montgomery, AL 36117-2351 Phone: 334-269-3322

Fax: 334-244-2974

### FINAL X-RAY REPORT

PATIENT: WEST, JAMES

DOB: 11/03/1945

PHYSICIAN: DARBOUZE

DOS:

LOCATION: EASTERLING CORRECTIONAL FACILITY

01/21/2008

STATION:

N/A

EXAM REASON; PAIN LT RIBS FROM INJ. LT SIDE OF CHEST AND AXILLA AND

LLRIB PAIN

EXAM TYPE:

PORTABLE RIB LEFT

FINDINGS:

Multiple images of the left side were obtained at various obliquities.

There are no fractures. All cortical margins are intact. The underlying

lung parenchyma and pleural surfaces appear normal. Bone density is normal

and uniform.

IMPRESSION:

NEGATIVE LEFT RIB SERIES.

ANNE GLASER MD

D: 01/21/2008 17:38:07 CST

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American Mobile Imaging Unit 3 5766 Carmichael Parkway Montgomery, AL 36117-2351 Phone: 334-269-3322

Fax: 334-244-2974

### **FINAL X-RAY REPORT**

PATIENT: **WEST, JAMES** 

DOB: 11/03/1945

PHYSICIAN: DARBOUZE

DOS: 01/21/2008

LOCATION: EASTERLING CORRECTIONAL FACILITY

STATION: N/A

EXAM REASON: INJURY, PAIN LT HIP

**EXAM TYPE:** 

PORTABLE HIP LEFT

FINDINGS:

AP and lateral views of the proximal left femur demonstrate no fracture, dislocation, or subluxation. The joint space is uniform. Alignment is excellent. Bone density is normal and uniform. There is no degenerative or unusual arthropathy. The adjacent soft tissue planes are normal without

radiopaque foreign body.

IMPRESSION:

NEGATIVE.

ANNE GLASER MD

D: 01/21/2008 17:37:03 CST

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Page 1 of 1

Genov. Jako en **max:** 



American Mobile Imaging Unit 3 5766 Carmichael Parkway Montgomery, AL 36117-2351 Phone: 334-269-3322

Fax: 334-244-2974

### FINAL X-RAY REPORT

PATIENT: **WEST, JAMES** 

DOB: 11/03/1945

PHYSICIAN: DARBOUZE

DOS: 01/21/2008

LOCATION: EASTERLING CORRECTIONAL FACILITY

STATION: N/A

EXAM REASON: PAIN RT SHOULKDER FROM INJURY

EXAM TYPE:

PORTABLE SHOULDER RIGHT

FINDINGS:

Views of the right shoulder with internal and external rotation demonstrate no fracture, dislocation, or subluxation. The glenohumeral joint and the acromioclavicular joint articulate normally with minor degenerative change. All cortical margins are intact, and the soft tissue planes are normal.

IMPRESSION:

NEGATIVE RIGHT SHOULDER.

ANNE GLASER MD

D: 01/21/2008 17:40:05 CST

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Jan 21 2008 07:06pm P002/009

Lota Physical ax:



American Mobile Imaging Unit 3 5766 Carmichael Parkway Montgomery, AL 36117-2351 Phone: 334-269-3322

Fax: 334-244-2974

### **FINAL X-RAY REPORT**

PATIENT: WEST, JAMES

DOB: 11/03/1945 DOS: 01/21/2008

PHYSICIAN: DARBOUZE

LOCATION: EASTERLING CORRECTIONAL FACILITY

STATION: N/A

EXAM REASON: PAIN FROM INJURY

EXAM TYPE:

PORTABLE LUMBAR SPINE

FINDINGS:

AP and lateral views of the lumbar spine were submitted for evaluation. There are five non-rib-bearing lumbar type vertebral bodies. All pedicles are adequately visualized in the AP view. All vertebral bodies demonstrate osteopenia with normal heights; anterior and lateral osteophytosis is present throughout the lumbar spine but the disc spaces are preserved. There is no spondylolysis or spondylolisthesis, and there is no evidence for prior surgery. Surrounding soft tissues are unremarkable. The

sacroiliac joints are intact.

IMPRESSION:

NEGATIVE FOR AGE.

ANNE GLASER MD

D: 01/21/2008 17:39:22 CST

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Page 1 of 1

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1/21/08	Jp. m	0-I	am of			
	·	O - Hox	3 wm	Stin w/b	Resting on back.	
		i		nt leoicod	OR Vistroso	
		n Pot	27 6	1 + P mani	tol MD, -S.Ewinx	<i>y y y</i>
		101.3	HCD COM	51211-4110016	OF JED, S. SUST	
					<u></u>	
711	3 Rev	03/04				

**Patient** ID#: //*03/5* Name: Institution: Signature Date Time Notes 7113 Rev 03/04

	Patient Name:	WEST, JAMES 110#: Institution: ECF	
Date	Time	Notes	Signature
1-20-	08 11	Vap.m. 5" I'm hurting whow today the yesterde	
		in the left sind when breston and I can	
		Out something paging when I take a keep fres	705
		marky very slavly & questing. Auro X3, resp	
		Shallow labored when asked to take keep broats	
		lung Clea & audith "paping" noton @ poot.	
		Very. Disastres area noted under area	
	-	described. V5: T-97.2 P-74 B-24 Ap 114/60	
		Lat 93% (up to 96° when asked to take	
		due breats ) pain 19,0 A-alt confort	,
		1- b. Sorbay Contracted, a duo received to	
		to muito - Sic	حربه ا
1.20.08	0 300		noto
BUUC	Jayin	0 × 3; resp. even, & c/o SoB; I/M accepts	
		em meal tray at this time P. Cont. to	
		monto	
1-200	8 ypm	S. "I'm not going to take it bic the	
/	1//	officer said I could not keep cops m	
		the cell "	
		O. W/m, alerti 0x3, hostile temperment at	
		this time, skin a bruising noted to upper	
		extremities bilateral a brising noted to (1) post	
		Von area octo pain a movement and palpates	n
	7113 Rev	5 small au ble popping noise of lepation; c/	877

	atient ame:	West, James 1103/5 Institution:	
Date	Time	Notes S	Signature
1/19/08	5:100	m I/m t unne sample of this time; DR	
1-7		Darbene notified of #/m UA diptick week	6
		De MO orders; see MAR; Cont to moneto	
		Alkton R	
1/19/08	11:15	5- This Ahing needs to come out up my brom or I'm	
<i>'  </i> 		going to up it out myself. I don't need any more of their!	
		0-w/m sitting on pallet in pale cell. A+0x3. No	
		Shortness up breath or distress moted. VSS. T-96.8 Pto8,079	6,89 13/11
		C/o pun level 9 of U-W scalo. IV to(L) hand dry rel	
		what, no redness offederna noted, DS 1/2 NS infusing at	
		intact, no redness offedema noted, DS & NS infusing at 1 Way for. I/m regions new bag of IV fluid.	
		11-Put in confort related topan	
		R- Dr. Danbruge contacted, IV and flying of copper to Dr. Dank	20mge,
1 10		Cantinue to monder MHal	PRU
190/00	033)	mon well try loter after pan made take affect my	il On m
		now, well try later often pain made take raffeed Mu	We YEU
		in the state of th	
71	13 Rev (		

Patient Name:	West.	JAMES	1D#: 110315	Institution: EASTERUNA	
Date Time			Notes		Signature
1-19-08	5" (2'm	puty so	u. and I'	not Very	
10:000.	Luxones	" 0-1/M	n DiHha	1 in all m	
	mat.	11 of 351	2 NS@150	I in all mi	
	5 diff	'auty. Aur	) X3, 14	p Mw +	
	Ulabra	+, rodistr	use noted.	V5:7-97.8 P.	-68
				16% A- OCT	
	<i>, ,</i> ,	- P- Cout.	to man	to	
1.19-08 10	1			Voided piral	
	Con i has	on golden	1/2/2 0-	DIA de day	7: €
1-19.05 11.45A	n Da Da	Star 200	emorson (	Up du obblid.	
1103 11 371	1 .			results - orders	
	1			u — — Wa	we con
1/9.88 Spm				"Shipandside"	
	0. W/m	, alert = 0	×3; calm,	Cooperative;	
	) <u>y</u>			c/o pain =	
			_	This area as	
	10/10 m	1-10 pain 2	cale, F/H	n = edema, little	
	Yednes	, and par	n & palpate	ton to (2) Flank	
	and (C)	hiparea,	+/mcmu	eltiple brising	
	bandaid	le noted to	(R) allow-	site d/t abrasi	en
				dc/D/I=05/2N	
				BP 120/90, RR/6	
	Temp 9-	18, PP16, 9	160% Do sat	on RA Imsta	les
7113 Ray	heate A	m meal = a	mly acceptor	a juice this pr	n
illonev	meal	A. All. Com	Rose P. Lee	ANAR, Cont. L	montgl
	7	8 miceon			

1D#:// 6355 Institution: Easterlin Patient Name: From Front Page Signature Date Time 930 1/18/08 MOVEMENT. ROHS DAIN 5/110 ON 0-10 Painscale. # 22 jeleo heplock or redness Noted, I'm refusing VS at present Alt. in conumy related to pain -Continue to Munutur 7113 Rev 03/04

Patient Name:	West, James ID#: 110315 Institution: ECT	
Date Time	Notes	Signature
11000 100	01 and 111 - 011 0 1011	Veo R
1-1608 155pm		CON
716100 00	0- WM resting on Rt. Side. Resp EVERY	
	unlabored. Shakes head no to request	4
	to get Y.S. NO injury OR some distant	
	noted at present. A-Alt Coping.	
	P- Monitor PRD Plusin	
1/18/08 1/0	5-" I don't want my mEdicinE //Et"	
	O- wm Sitting on mattross, The	2
	held in habd wo other compliants	
	Loiced A-Pot. Alto Comforts	
11 1,50	P-Monitor PRN LEWIN	RI
1/18/08 legn	S- Let ME See if I can go to the batha	cm
	betryou start the IV. I am hurting	
	So bad in my Lt Side gribs. I land	
	Supino bed. Inable to Situp. Rolled	
	ONER onto Plane & growning & mouning. 02 Sof 95% P98. Agrees to take	
	4pm pain mEd mow. Pain 1000	
	Scale 40 notified Dec of Keed	
	to get in cell to examine pt. A-Ale	\$
	Comfort P-PM pain mediciren.	
1/-1-630	wina) siren. Lewinx	
1/18/08 97m		
7113 Rev	03/04 Will do it. "O-WM TE asst Doc copy	-
	See back page LEW	( ) Re)
		$\sim$

CMS 7185 Rev 01/2003

Case 2:08-cv-00082-MEF-WC Document 31-2 Filed 05/07/2008 Page 23 pt 25

Date	#	Amount/Type Solution	Device	Location/ Inspection	Medication	Time	Nurse	Tubing Changed
			via.	(R) Hand		Started 1-18 VS		Time Date
		OCYANO ME		U TIME		Ended		Nurse
1-15-05		D5 12 NS 10 150	quapump			Started		Time Date
						Ended		Nurse
				B Hand		Started 1-14-05	Th	Time Date
1905	3	DS Ya NS BOX	n A	t redirestedent	2	Ended 1-14-08	b	Nurse
11109	<u> </u>	US AND BUC		(R)Hand		Started  - 14-6	的	Time: 300
HHS	L	DS YO NIS PORCE	he sum	Credive lilen	na NA	Ended   - 19-08	mH	Nurse I
(05)		10312 1036 1000	not punt	Ottoriagiver		Started		Time Date
						Ended		Nurse
	<del></del>					Started		Time Date
						Ended		Nurse
						Started	1	Time Date
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1						Ended		Nurse
	-					Started		Time Date
						Ended		Nurse
		10 7105 Pay 01/2003						

### CORRECTIONAL MEDICAL SERVICES PERIPHERAL IV MAINTENANCE RECORD

PATIENT	NAME:	West,	Jan	ıćS						ROOM	:_HCU	-Suti	IC.
		<del>,</del>	<del>,</del>			ARTS/RES					CIC	SNATURE	
DATE	TIME	CODE	CATH SIZE			ITE	#STICKS		COMM	FIGNA	510	ANA I UNE	
1-18-05	93Cm		1	gaucy	<i>-</i> 1	Hund			0 0 0 0	,,,-,		<del></del>	_
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			DAY SI	JIET		í F	VENING	3 SHII	FT		NIGHT S	HIFT	
DAT	E	OBSERVA	TION		ATURE	OBSERV	ATION		SNATURE	OBSERV. INTERVE	ATION	SIGNAT	URE
1 10	. 0	INTERVEN	TION			Dedu		N/-+-	VIL	Rollow	1	anan f	n Hall
) -/9-	08				·	qua	70	7	1	Via cath	<i>(</i> 1 , 1	- M	<del>- 11   73</del>   1
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CODES:						<u> </u>				<u> </u>			
1. NEW 2. DISC 3. DRES 4. TUBII 5. CHAN 6. ROU 7. RED 8. SWEI 9. C/O F 10. NO P	SSING CH NG CHAN NGED TO TINE SITE NESS AT LLING AT PAIN PROBLEM	GED HEPLOCK ROTATION SITE SITE	N				<del> </del>		ADDRES	SOGRAPH	<del></del>		

# CORRECTIONAL MEDICAL SYSTEMS INFIRMARY ADMISSION RECORD

NAME: DOB: 11-3-45
WEST CAMES 405300 NIN 1000 TO
Date: 1-19-08 Time: 1:20 p.M. From:
Method: Ambulatory X Wheelchair Stretcher Admitting M.D AKOUTE
Admitting Diagnosis: Admitting M.D. Houned.
Admitting Orders: A Yes U No Medical Record. Syles U No Medical Record.
VITAL SIGNS: Time 97.1 Wt 1/ n3 BP 12904 Pulse 104 Reps 22 Temp 97.1
PPD: Date: 12-16-06 Results: 12 mm
Known Allergies None If Yes, list and describe reaction:
Drug: NA
MEDICATIONS Patient is currently taking (include over-the-counter medications  NAME PROPERTY AND SEPTIMENTAL POSE  NAME PROPERTY AND SEPTI
NAME AS THE OSE OF THE LAST DOSE
N W V
EMOTIONAL STATUS
IMPAIRMENTS: Hearing: D'Adequate Decreased DRt. DLt.  Hearing: D'Adequate Decreased DRt. DLt.
Vision: Adequate Decreased Rt. DLt. Glasses Contacts Cataracts Undergreter
Communication: Language TEnglish OtherInterpreter
Drug or Alcohol use:
Educational Level: Jurs College
Smoking On + off × several years
SKIN ASSESSMENT:
Presence of Skin Lesions
Edema Describe:
Fingernails: Color DINY - Caprefill bask Condition WINT
Toenails: Color pulk - capyefill by SV Condition Will
NUTRITION ASSESSMENT: Last Intake: Food 1-19-08 4 Am (Date/Time) Fluid 1-19-08 130m (Date/Time)
Recent weight changes (reason)
Difficulty in swallowing NU
Special Diet HAEnor Regular diet
Feeding Tube DIYes DINO Type
ELIMINATION ASSESSMENT:
Urine: Frequency Urgency Pes PNo Discharge Pes PNo Burning Pes PNo
Sw UA
POTENTIAL FOR INJURY: Steady on feet  Yes Ano Aids to mobility: N/A  Cane  Walker  Crutches  Wheelchair  Prosthesis
Recent Falls: Dives A No
Signature Date Date